



Alpha Omega Recycling, Inc.

315 Whatley Road • Longview, Texas 75604 • (903) 297-7272

January 24, 2012

Michelle Kerr, Remedial Project Manager
U.S. EPA – Region 5
Superfund division (SR-6J)
77 West Jackson Blvd.
Chicago, IL 60604-3590

Re: Information Request for Chemetco Superfund Site;

Dear Ms. Kerr:

Enclosed is the response of Alpha Omega Recycling, Inc. (AOR) relative to the Chemetco Superfund Site in Hartford, Illinois.

As described in the enclosed response, AOR has sent just one shipment of product to Chemetco. In the 2000/2001 timeframe, Chemetco purchased and received from AOR approximately 10,000 lbs of high-grade copper (40%-50% Cu) product (not waste, and not subject to RCRA). AOR never received the agreed price of approximately \$20,000 for this material due to Chemetco's bankruptcy filing. Due to this very limited amount of high-grade copper product that was sold to Chemetco, AOR believes that it has no liability for the Chemetco Site.

Additionally, since this sale of copper product occurred over ten years ago, AOR no longer possess the records relating to it. Please forward to me at your earliest opportunity all documents that the EPA has which relate to any material sent by AOR to Chemetco.

Sincerely,


Mark Wayne
President

US EPA RECORDS CENTER REGION 5



426550

Encl.

Response to EPA Information Request Chemetco Superfund Site
Alpha Omega Recycling, Inc., Longview, Texas

General Limitations and Objections

A number of questions in the Request contain terms that are undefined, overly broad or ambiguous. AOR has endeavored to provide responses and information in this Response that are based on its reasonable reading of the terms used in this Request. In so responding, AOR is not waiving its objections to the lack of definition, over breadth or ambiguity of the terms used in this Request.

By responding to any question, AOR does not admit or agree that EPA's characterization of activities or materials in the question are accurate.

This Response does not in any way constitute a waiver of any other objections AOR may have as to the reasonableness and scope of the request.

AOR reserves the right to supplement this Response at any time.

Subject to the General Objections and Limitations set forth previously herein, AOR responds as follows:

General Information Concerning Respondent

1. Provide the following information about your company ("Respondent"):

(a) The complete and correct legal name of your company.

Alpha Omega Recycling, Inc. (sometimes referred to as "AOR" or "Respondent")

(b) The name(s) and address(es) of the President and the Chairman of the Board, or other presiding officer of the company.

Mark Wayne, President
315 Whatley Road, Longview, TX 75604

Chris Calandro, Director
315 Whatley Road, Longview, TX 75604

(c) The state of incorporation of the company and the company's agents for service.

State of incorporation: Texas

Registered agent:
Business Filings Incorporated
701 Brazos, Suite 720
Austin, TX 78701

(d) The name(s) of all subsidiaries, affiliates, or parent companies to your company.

NTR Industrial, LLC

2. Describe and provide any documents related to your company's business activities which resulted in sending material to Chemetco.

AOR has been in operation in Longview, Texas since receiving its RCRA permit in 1987. AOR's processing generally consists of three primary recovery units that function to recycle metal from industrial waste streams, stabilize the remaining residue and place the metal back into the market as usable metal ore products.

AOR has sent just one shipment of product to Chemetco. In the 2000/2001 timeframe, Chemetco purchased from AOR approximately 10,000 lbs of high-grade copper (40%-50% Cu) product (not waste, and not subject to RCRA). AOR never received the agreed price of approximately \$20,000 for this material due to Chemetco's bankruptcy filing. Since this transaction occurred over ten years ago, AOR no longer possess the records relating to this one-time sale of copper product. AOR's current policy is to retain documents relating to inactive customers for 5 years.

3. Describe and provide any documents related to your company's role at the Site, including what duties/involvement your company had at the Site.

AOR is not aware of, and has no document reflecting any role played by AOR at the Chemetco site.

4. If the nature or size of Respondent's activities in relation to Chemetco changed over time, describe those changes and the dates they occurred.

Only one shipment of product to Chemetco as described in paragraph 2 above.

5. For each type of waste or material used in Respondent's operations, describe and provide documents relating to Respondent's contracts, agreements, or other arrangements for its disposal, treatment, trading, or recycling with Chemetco, including but not limited to whether Respondent controlled where waste sent to Chemetco warehouses was ultimately processed/recycled.

AOR does not have any document describing its single shipment of product to Chemetco in 2000/2001. AOR retains documents relating to inactive customers for a period of 5 years.

6. If not already provided, specify the dates and circumstances when Respondent's waste or material was taken to the Site, and identify the companies or individuals who brought Respondent's waste/material to the Site. Provide any documents which support or memorialize your response.

No additional information available. See response to paragraph 2 above.

7. Were transactions between your company and Chemetco and specifically the Site: 1) an outright sale; 2) subject to a written or verbal "tolling" agreement between the companies;

or 3) reflected the "banking" of the transacted material in a metal account at the request of your company for return or other disposition at a late date?

Unknown. AOR does not have any document describing its single shipment to Chemetco in 2000/2001. AOR retains documents relating to inactive customers for a period of 5 years.

8. Did your company have any influence over waste disposal or recycling activities at the Site? If so, how?

AOR is not aware of, and has no document suggesting any influence by AOR over Chemetco's activities at the Site.

9. Was any shipment of material sent to the Site by Respondent ever refused and/or returned? If so, describe this event in detail, including its cause and outcome.

No.

10. Describe in detail the types of material that you sent for recycling, processing, or disposal at the Site. In your response, please also give the generic name of each type of materials shipped to the Site (e.g., scrap metals (including scrap automobiles), batteries, electronics, scrap paper, scrap plastic or scrap textile, etc.).

AOR sold and sent just one shipment of product to Chemetco which consisted of approximately 10,000 lbs of high-grade copper (40%-50% Cu) product (not waste, and not subject to RCRA).

(a) Identify whether the materials were delivered directly to the Site or were transshipped there from another intermediate delivery point. If applicable, describe each such delivery point.

Unknown. Documentation describing the one-time sale of high-grade copper product to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

(b) State whether any of the material was ever tested by your Company and if so, whether the substances exhibited any of the characteristics of a hazardous waste, identified in 35 Illinois Administrative Code 721, Subpart C or 40 C.F.R. 261, Subpart C.

Unknown. Documentation describing the one-time sale of high-grade copper product (not waste) to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

(c) Describe what was done to materials once they were brought to the Site, including any further processing of the materials.

Unknown.

- (d) Provide any additional information and all documents that you believe are related to the type, nature and characteristics of the materials you sent to the Site.**

None.

- (e) List the years in which your company sent materials to Chemetco and/or its broker(s) for recycling, processing, or disposal.**

Single shipment of high-grade copper product was sold and sent to Chemetco in the 2000/2001 timeframe.

Questions and Requests for Documents Related to Scrap Metal

11. For the following questions which relate to transactions involving scrap metals, provide the requested information, and also provide copies of any documents that contain any information that is related to the response:

- (a) Did a market exist for the scrap metals listed in your response to No. 10 above? If so, describe the nature of such a market at the time of the transaction (possible uses, possible consumers, etc.) and the source of the commercial specification grade (e.g., Institute of Scrap Recycling Industries Inc. (ISRI), Department of Defense, or wherever your company would find the grade published).**

N/A

- (b) What commercial specification grade did the scrap metal listed in your response to question No. 10 meet? Identify/list the commercial specification grades that each scrap metals identified in No. 9 met.**

N/A

- (c) At the time of the transaction(s) what was the intended disposition of the scrap metal listed in your response to questions No. 10? Did this include burning as fuel, or for energy recovery, or incineration?**

N/A

- (d) After sale, transfer, delivery, recycling, or disposal, what portion of the scrap metals listed in your response to question No. 10 was to be made available for use as a feedstock for manufacturing of new saleable products? Explain how the portion identified in this answer was derived or calculated.**

N/A

- (e) Could the scrap metal listed in your response to question No. 10 have been used as a replacement or substitute for a virgin raw material? If so, provide details?**

N/A

(f) Could any products made from the scrap metal listed in your response to question No. 10 have been used as a replacement or substitute for a product made, in whole or in part, from a virgin raw materials? If so, provide details?

N/A

(g) Did your company melt the scrap metal listed in your response to question No. 10 before it was transported/delivered to the Site? If yes, describe the process used for metalizing the scrap metal?

N/A

(h) Describe the source of or the process the produced the materials sent to the Site?

N/A

12. Did any of the scrap material sent to the Site contain other material(s) incident to or adhering to the scrap? If so, describe in detail.

N/A

13. Did any of the material sent to the Site contain wire or wiring? If so, was the wire's insulation first stripped before being shipping to or accepted at the Site, after being received at the Site, or was the wire not stripped?

N/A

14. Did the material shipped include drums or shipping containers? If so, specify the generators of the drums or shipping containers, the capacity of such drums or containers and whether such containers ever contained liquid of any sort. If so, specify the type of liquid and whether such liquids contained wastes of any kind.

N/A

15. Describe all efforts (i.e., Site visits) taken by your company to determine what would be done with the scrap metal identified in your response to question No. 10.

N/A

Questions and Request for Documents Related to Electrical and Electronic Equipment

16. For the following questions which relate to transactions involving electrical and electronic equipment (e.g., transformers, capacitors, white goods, computers, monitors, cables, circuit boards, or other electrical equipment), provide the requested information, and also provide copies of any documents that contain any information that is related to the response:

(a) List an estimated number of shipments of electrical and electronic equipment your company sent to the Site on an annual basis and list the years. In this list,

include the type and quantity, volume and weight of electrical and electronic equipment sent;

N/A

(b) At the time of the transaction(s), what was the intended disposition of the electrical and electrical equipment listed in your response to question 15(a)? Did the intended disposition include burning as fuel or for energy recovery or incineration?

N/A

17. With respect to waste or materials sent to the Site, at the time of the transactions, specify the measures you took to determine the actual means of treatment, disposal, recycling, or other uses of the material. Provide information you had and any documents relating to the treatment, recycling, and disposal practices of Chemetco at the Site. What assurances, if any, were you given by the owner/operator of the Site regarding the proper handling and ultimate disposition of materials you sent there, as well as its compliance with applicable environmental laws? Include in your response any correspondence to and from Chemetco relating to this topic and dates the measures were taken or assurances were given.

Unknown. Documentation describing the one-time sale of high-grade copper product to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

18. What efforts and when, if any, did you take to investigate the nature of the operations conducted at the Site and the environmental compliance of the Site prior to selling, transferring, delivering disposing of, trading, or arranging for the treatment, recycling, or disposal of any materials?

Unknown. Documentation describing the one-time sale of high-grade copper product to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

19. Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding the recycling of materials, particularly Section 127 of CERCLA, 42 U.S.C. 9627, sent to the Chemetco Site.

Documentation describing the one-time sale of high-grade copper product to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years. AOR has maintained and operated under a current RCRA permit since 1987. Facility SWR #37531

20. Provide all information in your possession that shows that you were in compliance with applicable federal environmental regulations or standards regarding scrap metals promulgated under Resource Conservation and Recovery Act (RCRA).

Documentation describing the one-time sale of high-grade copper product to Chemetco in 2000/2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

AOR has maintained and operated under a current RCRA permit since 1987. Industrial Solid Waste Registration #37531. TCEQ Hazardous Waste Permit # 50203

21. Provide all RCRA Identification Numbers issued to Respondent by EPA or a state for Respondent's operations.

EPA ID No. TXD981514383

TCEQ Hazardous Waste Permit # 50203

Industrial Solid Waste Registration #37531

22. List all federal and state environmental laws and regulations under which Respondent has reported to federal or state governments, including but not limited to: Toxic Substances Control Act, 15 U.S.C. Sections 2602 et seq., (TSCA); Emergency Planning and Community Right to Know Act, 42 U.S.C. Sections 1101 et seq., (EPCRA); and the Clean Water Act (the Water Pollution Prevention and Control Act), 33 U.S.C. Sections 1251 et seq.

AOR reports under the following:

Emergency Planning and Community Right to Know Act;

Hazardous and Solid Waste Amendments of 1984;

Texas Commission on Environmental Quality Permit by Rule;

Clean Water Act and City of Longview Industrial Waste Ordinance #3216, 3382 and other amendments;

Texas Commission on Environmental Quality Texas Pollutant Discharge Elimination System (TPDES) multi-sector storm water general permit.

23. Identify the federal and state offices to which such information was sent. State the years during which such information was sent/filed.

Documentation describing the addresses to which information was sent in 2000-2001 no longer exists. AOR retains documents relating to inactive customers for 5 years.

24. If you have reason to believe that there may be persons able to provide a more detailed or complete response to any question contained herein or who may be able to provide additional responsive documents, identify such persons and the additional information or documents that they may have.

N/A

25. If any of the documents solicited in this information request are no longer available, please indicate the reason why they are no longer available. For each and every question contained herein, if information or documents responsive to this Information Request are not in your possession, custody or control, then identify the persons from who such

information or documents may be obtained. If the records were destroyed, provide us with the following:

(a) the document retention policy between 1970 and 2001;

AOR was not formed until 1986. The requested retention-policy information is not known by the current management of AOR.

(b) a description of how the records were destroyed (burned, trashed, etc.) and the approximate date of destruction;

This is not known by the current management of AOR.

(c) a description of the type of information that would have been contained in the documents;

This is not known by the current management of AOR.

(d) the name, job title and most current address known by you of the person(s) who would have produced these documents, the person(s) who would have been responsible for the retention of these documents; the person(s) who would have been responsible for the destruction of these documents; and the person(s) who had and/or still may have the originals or copies of these documents; and

This is not known by the current management of AOR.

(e) the names and most current address of any person(s) who may possess documents relevant to this inquiry.

N/A

26. Please state the name, title, and address of each individual who assisted or was consulted in the preparation of the response to this information request.

The responses were prepared by AOR representatives after a review of the relevant documents and discussions with available personnel. It cannot be said, therefore, that any one document or one person is responsible for a specific response. AOR, has, however, made a good faith effort to respond fully to EPA's request.

With the exception of legal counsel, the following individuals were involved in the preparation of this Response:

Dr. Heather Frost
VP, Environmental Compliance, AOR
315 Whatley Road, Longview, TX 75604

Mark Wayne
President, AOR
315 Whatley Road, Longview, TX 75604

Bobby Pointer
Operations Manager, AOR
315 Whatley Road, Longview, TX 75604

Wayne Wilson
President, AOR (1986- Feb 2011)

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